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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,853	07/31/2003	Han-Jong Kim	2557-000168/US	1965
30593 7590 01/26/2009 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195				
EXAMINER				
ABBASZADEH, JAWIED A				
ART UNIT		PAPER NUMBER		
2115				
MAIL DATE		DELIVERY MODE		
01/26/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claims 1-21 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-5 and 7-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The rejection as set forth in the previous office action is hereby maintained and incorporated by reference.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Tomiyori US 5,475,324.

Tomiyori was cited as the prior art reference in the last office action. His teachings as set forth in the last office action are hereby incorporated by reference.

As to claims 1-21, Tomiyori teaches these claims according to the reasoning set forth in the last office action.

Response to Arguments

Applicant's arguments filed 9/29/2008 have been fully considered but they are not persuasive. The examiner maintains that claims 1-5 and 7-20 are rejected under U.S.C. 112. Applicant argues that a broad interpretation of a processor should be understood in order to enable one of ordinary skill in the art to make and use the invention. The claim states, "A processor having a processor core and peripheral device." One of ordinary skill in the art understands the traditional definition of a processor. Any broader interpretation of a processor must be explained in the specification. The specification does not suggest that a processor should be interpreted as a processor system as would be adequate in order for one of ordinary skill in the art to understand a broader meaning of a processor.

Rejections to claims 1-21 are maintained because applicant suggests that Tomiyori does not determine the operating frequency of the first clock CLK1 or the second clock CLK2, let alone the operation states of the first clock CLK1 or the second clock CLK2. Examiner maintains that Tomiyori does determine the operating frequency and operation states. The frequency data determined by the frequency count circuit is the frequency. Tomiyori further elaborates, "The clock control circuit compares the frequency of the second clock sent from the frequency count circuit with the reference frequency range" [col. 4, lines 61-63]. Therefore, the frequency is known before it can be compared with a reference frequency. Furthermore, the operation state is also

known because it is determined if the second clock is stable before clock switching occurs. The operation state is whether or not the clock is stable.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAWEED A. ABBASZADEH whose telephone number is (571)270-1640. The examiner can normally be reached on Mon-Fri: 7:30 a.m.-5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee can be reached on (571) 272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jaweed A Abbaszadeh/
Examiner, Art Unit 2115
1/17/2009

/Thomas Lee/
Supervisory Patent Examiner, Art Unit 2115